

BAY MILLS INDIAN COMMUNITY

DOG CONTROL ORDINANCE

Section 1. Purpose.

The purpose of this ordinance is to regulate the keeping of dogs so as to protect the health, safety and welfare of all individuals residing on, or visiting, the Bay Mills Reservation.

Section 2. Definitions.

a. **Custodian** means any person having custody of another person's dog with the consent of the dog owner, and said consent may be either express or implied.

b. **Harboring** means allowing any dog to be lodged, or remain, or to be fed within the person's home, store, building, enclosure or premises for a period of two (2) days or longer.

~~c. **Owner** means any and every person having a right of property in the dog, and every person who keeps or harbors the dog or has the dog in his/her care, and every person who permits the dog to remain on or about any premises occupied by him/her.~~

Section 3. Confinement of Dog upon Biting.

a. **Confinement.** Any dog which bites a person must immediately be confined by the owner or custodian until release is authorized by the Tribe or the Indian Health Service. During confinement, the dog must be made available for any testing ordered by the Tribe.

b. **Report.** The Bay Mills Tribal Police shall be immediately notified of any dog biting incident.

c. **Failure to Confine.** Any dog not confined by the owner or custodian shall be placed in an appropriate shelter by the Tribe and the owner shall be assessed the costs to the Tribe of such placement.

Section 4. Dogs Running at Large Prohibited.

It shall be unlawful for any person owning, harboring or otherwise having custody of any dog to allow or permit the dog to run at large within the Reservation of the Bay

Mills Indian Community. A dog on a leash or contained within an adequate fencing enclosure or otherwise secured, or accompanied by its owner or custodian who has reasonable control of the dog, shall not be deemed to be running at large.

Section 5. Penalty.

a. Any person convicted of a violation of any section of this ordinance for the first time shall be subject to a fine of not more than \$100 for each count and restitution of the costs of confinement and testing and for any damage done by the animal.

b. Any person convicted of a violation of any section of this ordinance for the second or subsequent times shall be subject to:

(1) a fine of not more than \$200 for each count; and/or

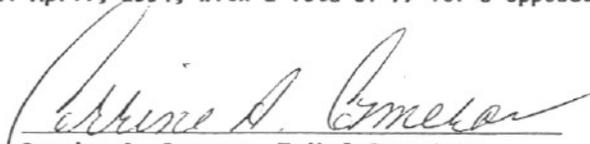
(2) restitution of the costs of confinement and testing, and for any damage done by the animal; and/or

(3) forfeiture of the animal to the Tribe, which may dispose of the animal by sale, donation or termination.

c. Each act of violation, and every day upon which said violation shall occur, constitutes a separate offense for which a citation may be issued. For purposes of sentencing, all counts shall fall under subsec. (b) (1).

CERTIFICATION

I, the undersigned, as Secretary of the Bay Mills Indian Community General Tribal Council, do hereby certify that the above Dog Control Ordinance was passed and approved at a meeting of the Bay Mills General Tribal Council held at Bay Mills, Michigan on the 9th day of April, 1994, with a vote of 77 for 0 opposed and 3 abstaining.



Corrine A. Cameron, Tribal Secretary
Bay Mills Indian Community
General Tribal Council